

# Code Amendment Proposal Petition

NH Department of Safety  
Office of the State Fire Marshal  
Board of Fire Control  
33 Hazen Drive, Concord, NH 03305  
Phone: 603-223-4289 Fax: 603-223-4294  
www.nh.gov/safety/divisions/firesafety

Exhibit RE-18-01-09

## PETITIONER INFORMATION

Name:

Matthew Connors

Date:

May 4, 2018

Representing:

Gemini Electric, Inc.

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## PROPOSED CODE LANGUAGE

This proposed code amendment (check one):

- Amends (code, edition, section)  
 Adopts a new code section (code, edition)  
 Repeals (code, edition, section)

Code, Edition, and/or section affected:

SAP-C 6008.03 (d)

You must provide language for review by the Board of Fire Control. Failure to provide language will invalidate the petition. Please use the following format to show additions and deletions from the code: Strike through = deleted text. Underline and bold = **New Text**

### Proposed Language

(d) ~~REPEALED Section 13.6.2 of NFPA 1 shall be amended to read as follows:~~

~~13.6.2 Where Required. Fire extinguishers shall be provided where required by this code as specified in Table 13.6.2 and the referenced codes and standards listed in Chapter 2. In new construction, the required fire extinguishers shall be electronically monitored in accordance with 13.6.9.1.5. Exception: The electronic monitoring of the fire extinguishers shall not apply in occupancies that do not require a fire alarm system.~~

**PETITION CRITERIA**

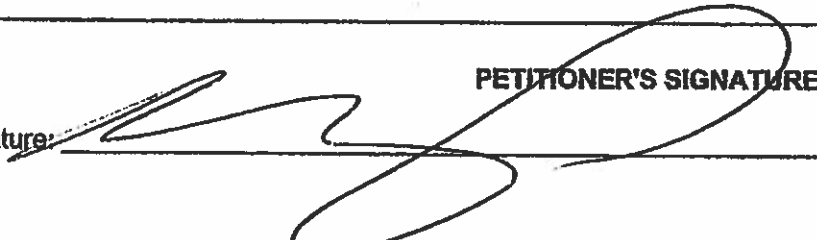
Attach to this petition written responses to the following questions. If needed, include in the response an explanation as to why a question does not apply to your proposed code petition. The Board may reject an incomplete petition.

**Questions:**

1. Is your proposed code amendment necessary to correct any unforeseen or probable outcomes resulting from the application of a code section, and if so, why?
2. Is your proposed code amendment needed to protect the health, safety, welfare, comfort and/or security of occupants and the public, and if so, why?
3. Does your proposed code amendment correct inadequate application by a code section to a method, material, or design, and if so, why?
4. Is your proposed code amendment necessary to correct unique geographic or climatic conditions within New Hampshire, and if so, why?
5. Is your proposed code amendment needed to eliminate conflicting, obsolete, or duplicative code provisions or standards among New Hampshire-adopted codes, statutes, or regulations, and if so, why?
6. Does your proposed code amendment provide for the use of unique or emerging technologies or promote advances in construction methods, devices, materials and techniques, and if so, how?
7. Does your proposed code amendment create any adverse fiscal impact or cost savings for the general public, the construction industry, local and state governments, or small businesses? If so, please describe the added or reduced cost of the proposed code amendment, the adverse fiscal impact or cost savings in relation to the current NH State Fire Code, and any standards of measure used to arrive at the result given.

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**PETITIONER'S SIGNATURE**

Signature:  \_\_\_\_\_ Date: May 4, 2018

*Copyright Notice: By signing this proposed code amendment petition, I understand and acknowledge that the work contained in this petition is original, or if not original, I have the right to copy the work. By signing this work, I understand that any rights I may have in this work, including any form of derivative works and compilations, are assigned to the N.H. Board of Fire Control. I also understand that I do not retain or acquire any rights once this work is used in an NH Board of Fire Control publication.*

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**APPLICATION PROCESSING**

The Office of the State Fire Marshal reviews all applications and will determine if the application is in conflict with any existing law or rule. The division will return any application found to be in conflict with any existing statute or rule along with the specific reasons for the returned application.

Not Approved:       Approved:       Approved with Modifications:

Hearing Date: \_\_\_\_\_ Voting Date: \_\_\_\_\_

Chair's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Fire Marshal's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Commissioner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

### Petition Questions

1. The proposed code amendment eliminates the requirement for the electronic monitoring of fire extinguishers in new construction. This code requirement, which has been in existence for several years, has cost building owners significant amounts of money in terms of installation and maintenance. While good spirited, the unintended financial consequences of this requirement is not offset by any appreciable life safety benefits. To my knowledge, we are the only state in the country that requires them. The current edition of NFPA 1 as well as NFPA 10 leaves manual or automatic monitoring of fire extinguishers to the discretion of the building owner or designee based on their needs and this was the final result of the consensus based code adoption process at NFPA.
2. No, this amendment is not needed to protect the health and safety of the public.
3. The proposed code amendment to strike the electronic monitoring of fire extinguishers relieves the burden of the building owner from paying for the installation of said devices as well as the expense of maintenance of the modules. History has shown that the modules have had a significant failure rate. A blocked extinguisher can also result in an unintended expense by virtue of an alarm contractor service call.
4. No, this amendment does not correct and unique geographical issues.
5. No, this amendment does not correct a duplicate or conflicting issue.
6. No, this amendment does not use unique or emerging technology.
7. This amendment saves the general public money. Currently, to install an electronic monitoring device it costs in excess of \$500 more per extinguisher than if a normal extinguisher was installed. Considering the number of extinguishers that are required in building, this amendment will save contractors and building owners thousands of dollars in installation costs. Couple that with the money it will save by not having to maintain the modules, this amendment is a significant cost saving measure, done so without sacrificing safety.